PUBLIC SAFETY COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

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A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Friday, 10 March 24, 2017 at 9:00 a.m.

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Legislator Kate Browning - Chairperson D.P.O. Robert Calarco - Vice Chair

Members:

Also in Attendance:

Legislator Tom Cilmi (Absent) Legislator Bridget Fleming Legislator Leslie Kennedy 17

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Legislator Kara Hahn

Legislator Monica Martinez 20

Legislator William Spencer (Absent) 21 Presiding Officer DuWayne Gregory 22

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John Marafino - County Executive's Office Jason Hann - County Executive's Office 35

Robert Braun - Deputy Bureau Chief/County Attorney's Office. Michael J. Caplan - Suffolk County Medical Examiner

Liza Wright - Suffolk County Medical Examiner's Office Mike Sharkey - Chief Deputy Sheriff/Suffolk County Sheriff's Office Anthony Paparatto - Chief of Staff/Suffolk County Sheriff's Office

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Terence Mawn - Detective Sergeant/Suffolk County Police Department Jim Roddin - Superior Officer's Association 45 Lou Tutone - 1st Vice-President/Suffolk County PBA.

Patrice Dlhopolsky - Director/Suffolk County Probation Department 47 Joe Williams - Commissioner/Fire, Rescue & Emergency Services

Ron Barz - Suffolk County Fire Academy. 49 Terence Mawn

51 52 53

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Stephen Ruth

Joe Loffreno

* Index Included at End of Transcript

Keri Michel

Minutes Taken By: Lucia Braaten - Court Stenographer

George Nolan - Counsel/Suffolk County Legislature

Rob Conti - Aide to Presiding Officer Gregory Josh Slaughter - Aide to Legislator Browning Alyssa Turano - Aide to Legislator Hahn

Liz Sutton - Aide to Legislator Fleming

Liz Alexander - Aide to Legislator Spencer Ali Nazir - Aide to Legislator Kennedy

Amy Ellis - Chief Deputy Clerk/Suffolk County Legislature John Ortiz - Budget Analyst/Legislative Budget Review Office

Lillian Lennon - Volunteer/RSVP Inc., Animal Welfare & Rescue

Richard O'Carroll - Deputy Inspector/Suffolk County Police Dept.

Kevin Burke - Lieutenant/Suffolk County Police Department George Michels - Detective/Suffolk County Police Department (*The meeting was called to order at 9:23 a.m.)

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CHAIRPERSON BROWNING:

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Okay. Good morning. Sorry for the delay. I know many of us want to -- need to be out of here, be in Brentwood by 11, so we -- if everyone would please stand and we'll start with the Pledge of Allegiance, led by Legislator Hahn.

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(*Salutation*)

09:24AM 10

And, as always, we do a moment of silence for those who defend our country at home and abroad. And also for the people who were killed in London. And also for EMT Yadira Arroyo. And last night we lost in Hampton Bays Fire Department Ex-Chief, Ex-Commissioner Gerard Buckley.

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And I was looking at how many police officers, law enforcement officers that we have lost just since January. The number is up to So we will keep their names and their -- the loss in our hearts and prayers.

09:25AM 20

(*Moment of Silence*)

Thank you. And when I mentioned the police officers, many of them motor vehicle accidents. There was I think close to six of them, 9/11, and a number of them from gunfire. I believe that number was nine from gunshot. So it's a sad time for law enforcement, also.

So with that, we do have an excused absence. Legislator Cilmi has a district event, and because of the time, he is not able to be It's important for him to attend to his district. would like to, if -- we do have some cards. I forgot.

09:26AM 30

MR. SLAUGHTER:

Kate.

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CHAIRPERSON BROWNING:

09:26AM 40

Oh, and Doc Spencer. Okay. Legislator Spencer does also have an excused absence. Again, the change of -- the change of day and time is not always very accommodating for everybody.

So we do have some speakers, and we have -- our first is Lillian Lennon.

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MS. LENNON:

09:27AM 50

Good morning. My name is Lillian Lennon. I'm a retired school teacher from the William Floyd School District, and the current president of RSVP, Inc. Animal Welfare and Rescue, located in Eastern Long Island. I again come to you to speak on behalf of supporting Resolution 1050, sponsored by Legislator Martinez, which protects our precious animals of Suffolk County, specifically the canine population, by upgrading our existing laws and making them more humane.

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I again thank Legislator Martinez and this body of Legislators in advance. We are confident that you will be part of the solution to

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create an environment conducive to the welfare of animals, as well as people. And although we are hopeful, proud and optimistic with this progressive movement, we also realize that this will be an adjustment period as our fellow citizens catch up, make the necessary changes to care for their dogs properly, and make a cultural shift in conscientious to what is considered humane. We're also not naive. Old habits die hard and there will be obvious resistance we must be prepared to address. The backlash is inevitable, but it is worth the fight.

09:28AM 10

History has proven that to achieve sustainable change, we will be faced with obstacles along the way. However, I'm confident, with your collective support on all levels, from this Legislative body to its Executive Branch, to our Local Law enforcement agencies, our animal shelters and rescue groups throughout Suffolk County will prevail over time. The bottom line is this is only the beginning of a long journey to right these wrongs that have plagued our tethered and nontethered animals longer than one can only imagine.

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09:28AM 20

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Resolution 1050 is the first of many steps towards a more humane County, and, hopefully, will be a model for other New York State counties as well. We will continue to need your support as we navigate through this process.

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I thank you in advance for supporting Resolution 1050 and its challenging, yet very doable, enforcement. As a team, I know we can make this happen.

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And, again, I thank you, Legislator Martinez. You've been awesome and wonderful to all the rescue groups. I really appreciate it. Thank you very much.

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09:29AM 30

(*Applause*)

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CHAIRPERSON BROWNING:

Thank you. And I guess I was in Albany -- what day were we in Albany? I've lost track. Wednesday?

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LEG. FLEMING:

Wednesday.

09:29AM

CHAIRPERSON BROWNING:

And actually while we were on the Assembly floor, there was a bill approved on the Assembly floor for the care of animals. The sponsor of that bill was Amy Paulin, Assemblywoman Paulin. So the first thing I thought of was we've got ours. So if you're not familiar with those bills, we could certainly get you that information, and it was to do with the care of animals. So do you have -- Monica?

09:29AM 50

LEG. MARTINEZ:

Well, I was just going to say, yes, I was there on Monday, and it's -- there was a conference with the Sheriffs, Albany County, who has created their own Animal Crime Task Force as well. And what people are starting to see is that in order to curtail certain human behavior, you need to also start focusing on how people treat

animals. And Albany County has a great program going on already, in conjunction with all organizations, rescue organizations, the shelters, municipal -- municipalities, as well as their local Humane Society and the SPCA. So we're hoping to do the same here in the County.

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CHAIRPERSON BROWNING:

Thank you, Monica. Next speaker is Stephen Ruth.

09:30AM 10

MR. RUTH:

Good morning, Ladies and Gentlemen. I want to speak about the boy who was killed in Miller Place. His name was Nico Signore. I'd like to also spend a moment and give a moment of silence for him, as well as John Luke, who both lost their lives in the same intersection, which I have been advocating for the reengineering of for over a year (Moment of Silence).

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19 09:31AM 20

So, basically, this intersection -- John Luke passed away in this intersection, and I went there with my son after I found it in the Newsday archives that he had passed away in that intersection. knew that it was a red light camera intersection. So I went there with my son and I timed the lights, and I saw that there was very short yellow lights. Then I pressed the button to cross the road, and I noticed that when I tried to cross the road with my son, we had cars making lefts right at us, trying to get out of the way of the camera at the same time that I was trying to cross the road, which is exactly what got Nico killed.

So I didn't know what to do. I went to John Luke's house and I

crossed from corner to corner to corner to corner in the same

intersection, and we realized that it was very, very dangerous. The same thing was going on in Rocky Point, right up the block from

And his name was Jay. It's John Luke's next door

didn't have the heart to knock on his door and tell his

09:31AM 30

grandparents what I had come up with. So I asked his neighbor, I šaid, "Did you know John Luke?" He said, "Yeah, I knew John Luke. He was a very bright boy." I said, "Do you think that it could have been John's error that got him killed?" And he said, "Absolutely not. John knew how to cross that road. John was a very bright boy and he didn't make the error." So I said, "Well, can you take a ride over to the intersection with me and see what I discovered?" neighbor. We went over to the intersection, and with Jay, I

09:32AM 40

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All of our engineer -- all of our intersections were reengineered for revenue. I have been advocating about this for over a year now and nobody wants to lift a finger. Everyone like looks down and looks away and doesn't want to admit the fact that I've been advocating for this intersection, Old Town Road and County Road 83,

49 for over a year, and people got killed there. 09:32AM 50

the Rocky Point High School.

In County Road 83 and Old Town Road, I spoke to the neighbors and a young girl burned to death in her car in that intersection. don't know the circumstances of the accident, but everyone gets

broadsided and slammed through the same fence and dies in the same people's backyard.

^{*} Index Included at End of Transcript

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And it's -- there was a boy named Ramon Antonio Genao killed in that intersection. I met with his family. They didn't speak a lick of English, but I speak Spanish, and I asked them, "What was the first that you recognized with that intersection?" They said the short yellow lights.

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The short yellow lights are the only way that the cameras can make any money. And everyone's so conditioned to have to get out of the way of the cameras, and knowing that there's only a three-second yellow light. As soon as they're in the intersection, they cross that white line. When they get the go, they slam on the gas. And I watched the video of Nico's accident, that's exactly what got him killed. If anybody wants to see the video, I have it. So, please, just contact me, I'll be happy to show you the video.

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09:33AM 10

We have to make our streets safer out of the respect for our kids. Thank you.

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CHAIRPERSON BROWNING:

Thank you. Joe Loffreno.

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MR. LOFFRENO:

Hi. My name is Joe Loffreno. I just recently moved to Mastic Beach. I used to live out in Montauk. I want to speak about the red light cameras, also.

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09:34AM 30

As Stephen just now said about -- about the yellow lights being shortened, obviously, that's just about money. If these red light cameras were really there for public safety, then why are the lights shortened, and why are people being killed and murdered? I mean, that last boy, John Luke, was -- I mean, I don't think it was an accident, I think it was actually murder for -- murder for profit. It really doesn't matter what the excuse is, \$33 million, \$40 million going to the County, what it matters is about people's lives. And I don't believe that any of this has to do with public safety. I believe it's purely monetary and it's motivated by greed, being reelected to office, because you're bringing more

money into the County and you're making the numbers look better for

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us.

Also, I was just trying to do a little bit of research, because I just recently got involved in this endeavor to try to get rid of these red light cameras also, because I'm seeing the injustice in it all, and I'm realizing that there's no way to figure out where all this money is going. So I'm understanding that half of it goes to Xerox, the company that puts up the cameras, half of it goes to the County, but after that, the paper trail ends. So I'd like to know if there ever was a forensic audit on where this money is

09:35AM 50

going, which I don't believe there was. And if so, where is it going and into whose pockets? I think there's just -- there's too much money to be made.

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Xerox, the company, is not even based -- the money is going out of state, so they're not even based in New York. So they're doing that to save taxes. So it's kind of crazy that they're -- they're

doing it to save taxes, but -- so they're basically stealing money from New Yorkers and sending the money out of state. That's where half of it's going, and the rest of it we don't know where it's going. So I think it's a shame that this is going on.

Anyway, I'm here to advocate getting rid of it. In many states and many counties throughout the nation it's been found unconstitutional, and if it's unconstitutional, it shouldn't be

allowed, it definitely shouldn't be law. All right. Thank you for your time.

09:36AM 10

CHAIRPERSON BROWNING:

Thank you. And there are no more cards. Is there anyone in the audience who would like to speak? I do not have anymore cards. Okay, no more.

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And just a point of information, just so everyone is aware. timing on traffic lights is set by State DOT, not by Suffolk County So if anyone has issues with timing on lights, they should be reaching out to the Department of Transportation, New York State Department of Transportation.

09:36AM 20

With that, we -- I would like to take out of order 1194. I know 23 Terry Mawn is here for an appointment. 24

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1194 is appointing Terence Mawn as a member of the Suffolk County Vocational, Education, and Extension Board (Kennedy). So I'll make that motion to take out of order.

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LEG. HAHN:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Hahn. All in favor? Opposed? Abstentions? (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi and Spencer) It's out of order. With that, we have 1194 on the floor, appointing Terence Mawn, and as Suffolk County VEEB. I guess we'll have that motion by Legislator Kennedy, and I would like to second that. Terry, it's good to see you.

09:37AM 40

SERGEANT MAWN:

Good morning.

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CHAIRPERSON BROWNING:

So if you just want to kind of introduce yourself and let us know why you want to serve on VEEB.

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SERGEANT MAWN:

09:38AM 50

My name is Terry Mawn. I'm a fireman over in Lakeland in Ronkonkoma, and I've been a fireman since 1984. I'm also a -- I'm a Sergeant in the Arson Section in the Police Department as well. It came to my attention that there was an opening on the VEEB Board and they needed someone with the agricultural background.

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I grew up on my family's farm, working in Melville, and to this day, I still work with my family on different farms throughout the

Public Safety 3/24/17

Island, predominantly in Melville. So I thought I would be a good fit for this, so I went and I interviewed with the people at the VEEB and they agreed. So with the background, I feel I can help. I bring a lot to the table as far as the fire end of it, plus the agricultural end of it. So to that end, I applied and I think I did well on the application and the interview. So here I am Hopefully, I can make a positive contribution to the Board.

09:38AM 10

CHAIRPERSON BROWNING:

Any questions? No questions. See, Terry, it's easy. No. known you now for quite a few years, and, you know, I know we have talked quite a bit about your experiences as far as farming, and your willingness also to work with our Boys and Girls Club, to help 14 them out with the farming end of things. But you certainly have a good background. Leslie, I know you've known Terry for quite some 16 time. 17

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LEG. KENNEDY:

09:39AM 20

I've known Terry's mom before she passed, and I will say, reading your resume, you are more than qualified for the Board. And if you are remotely like your mom, you'll be wonderful.

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SERGEANT MAWN:

Thank you. 2.5

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CHAIRPERSON BROWNING:

No pressure.

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(Laughter)

31 So we had a -- we had a motion and we had a second. All in favor? 32 Opposed? Abstentions? (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi and Spencer) 34

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Terry, congratulations, it's approved.

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SERGEANT MAWN:

Thank you.

09:39AM

CHAIRPERSON BROWNING:

And you don't need to come on Tuesday. Thank you, and thank you for serving.

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LEG. KENNEDY:

(Applauded).

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TABLED RESOLUTIONS

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CHAIRPERSON BROWNING:

Okay. So we will go to the Tabled Resolutions. We have 1007 -A Local Law to eliminate alarm registration renewal fee (Browning). I'll make a motion to table for public hearing.

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D.P.O. CALARCO:

Second. 56

^{*} Index Included at End of Transcript

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         CHAIRPERSON BROWNING:
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         Second, Legislator Calarco. All in favor? Opposed? Abstentions?
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          It's tabled. (Vote: Tabled for Public Hearing: 7-0-0-2/Absent:
         Legislators Cilmi and Spencer)
          1050 - Adopting a Local Law amending County restrictions on outdoor
       7
         restraint of pets (Martinez).
         LEG. MARTINEZ:
09:40AM 10
         Motion to approve.
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         CHAIRPERSON BROWNING:
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         Motion to approve by Legislator Martinez, second by Legislator
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         Hahn. And I believe I'm a cosponsor on this one, just in case.
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         LEG. HAHN:
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         Jason, I think I am, too.
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         CHAIRPERSON BROWNING:
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         Anyone else want to be a cosponsor?
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         LEG. KENNEDY:
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         (Raised hand).
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         D.P.O. CALARCO:
         Cosponsor.
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         CHAIRPERSON BROWNING:
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        I think -- is that unanimous cosponsor? Okay, cosponsor everybody.
09:40AM 30
         So congratulations, Monica. Thank you for all your hard work on
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         this one.
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                                     (*Applause*)
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      35
         Yes. So, oh, one question. We didn't call the vote yet.
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         P.O. GREGORY:
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         To the sponsor, I want to thank you for putting this effort
         forward. Are you familiar with how notice will go out to pet
09:41AM
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         owners? Is it a new law, how that's going to --
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         LEG. MARTINEZ:
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         That's something I was going to work on with the rescue
         organizations, the municipalities, and our law enforcement.
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         Police Commissioner is on board with this. We're trying to execute
         an educational plan to get the word out.
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         P.O. GREGORY:
      49
         Okay.
09:41AM 50
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         LEG. MARTINEZ:
         And that's being done through the Police Department.
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         CHAIRPERSON BROWNING:
         Maybe reach out to schools, because I think kids need to know this.
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LEG. MARTINEZ:

Actually, we are doing a couple of programs in some of the middle schools right before the school ends, when they have that week prior to school ending, on how to treat animals. And it's actually being done by a daughter of one of our rescue organizations who goes to the schools and they show a movie and they even bring a dog in, and kind of just let them know how to care for another living creature.

09:42AM 10

CHAIRPERSON BROWNING:

Nice. Okay. So we had a motion and a second. All in favor? Opposed? Abstentions? (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi and Spencer) It's approved. Congratulations.

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(*Applause*)

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So next one is (1094-17) Adopting a Local Law to increase certain administrative fees for the Department of Probation (Co. Exec.). Patrice, if you could come up and explain. I guess -- do we have a motion?

09:42AM 20

LEG. KENNEDY:

24 Motion.

Second.

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CHAIRPERSON BROWNING:

Motion to approve by Legislator Kennedy.

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D.P.O. CALARCO:

09:42AM 30

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CHAIRPERSON BROWNING:

Second by Legislator Calarco. And, yeah, Patrice, I know it's not a ridiculously high fee. I know I've reached out to you to find out -- if you could kind of just give us a little bit of information about why you need it.

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DIRECTOR DLHOPOLSKY:

09:43AM 40

Good morning. How are you? There are just a few fees that are being increased from their previous levels, the cost for -- the monthly cost for supervision by the Department for all but cases related to driving while intoxicated, that fee is set by the State. But for other cases, that will be raised to \$70 per month from its previous \$60 per month. The cost for a presentence investigation was 375, that would go to 450. And the cost per drug and alcohol test would go from \$12.50 to \$15.

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CHAIRPERSON BROWNING:

09:43AM 50

Anyone have any questions? And I know that we can -- previously talked about, obviously, increased costs, administrative costs and the cost to Probation.

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DIRECTOR DLHOPOLSKY:

Right, the -- you know, the cost of labor, the cost that actually goes into these things. For instance, the cost of a presentence investigation to the Department is considerably greater than the

Public Safety 3/24/17 fee that we're actually charging. The cost of supervision obviously varies, depending upon exactly what happens during the course of the month. But, certainly, you know, there is a very high cost in terms of the labor that goes into this, and, you know, that's on all levels, probation officer primarily, but also supervisory, clerical, etcetera. CHAIRPERSON BROWNING: Okay. So no questions? No? 09:44AM 10 P.O. GREGORY: 11 I know we want to --12 CHAIRPERSON BROWNING: 14 15 I was going to say two seconds. 16 (Laughter) 17 18 P.O. GREGORY: 19 Just a quick question. For those that can't afford the fees, 09:44AM 20 what --21 22 DIRECTOR DLHOPOLSKY: They are waived. We waive fees based on someone's inability to 24 For instance, if a person is on public assistance, or unemployed, or in some cases we have people whose salary barely would meet their family needs, so we very -- you know, we have no 27 problem with waiving a fee for a person who is unable to do so, and we do so on a fairly frequent basis. 29

09:44AM 30

CHAIRPERSON BROWNING:

Okay. So I have a question. I believe that if someone's on probation and they owe fees, but they reach that cutoff day, say, you know, tomorrow is their day to be released from probation, but they didn't pay up all their fees --

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DIRECTOR DHLOPOLSKY:

Right.

CHAIRPERSON BROWNING:

-- can they still be released from probation.

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DIRECTOR DLHOPOLSKY:

Yes, they can. The progress of their probation is not dependent upon whether they pay their fees or not. The progress of their probation is dependent upon their behavior during the time that they're on probation. If someone completes their probation and owes fees to the department, if it's a sufficient amount, we will refer it to a collection agency that makes an attempt to collect. But it does not have any legal bearing on their completion of probation. That is entirely dependent on them behaving according to the rules of probation and the law.

09:45AM 50

LEG. BROWNING:

Okay. Well, thank you. Bridget.

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LEG. FLEMING:

Thank you, and thank you for your good work --2

is free to take or not take, as they so desire.

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DIRECTOR DHLOPOLSKY:

Thank you. 5

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LEG. FLEMING:

-- in your very important Department. Could you just describe a little bit what goes into a PSI, a pre-sentence investigation, what's entailed, and how much the Judges -- you know, to what extent the Judges need it to rely on in order to make good decisions about -- about sentencing.

09:46AM 10

DIRECTOR DLHOPOLSKY: 14

Pre-sentence investigation can be ordered by the court whenever 15 they take a plea from an individual for a misdemeanor or a felony. 16 It is actually required for any case on which a defendant can 17 receive a year or more in jail. The pre-sentence investigation is a background report that puts together information on criminal history, contacts the victim, speaks to the defendant's past social 09:46AM 20 history, their current circumstances, their ability to pay 21 restitution, if that might be pertinent to the case, their ability 22 to comply with lawful behavior going forward, and then make, say, sentencing recommendation to the court, which, of course, the Judge

LEG. FLEMING:

But I know from experience that, you know, the number that you give the Judge is one thing, but the pages and pages of background are also relied upon --

09:47AM 30

DIRECTOR DLHOPOLSKY:

Right. 33

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LEG. FLEMING:

-- by the Judges, you know, to -- it's a very important document. 36 And do you have --37

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DIRECTOR DLHOPOLSKY:

It follows the person. If they go to prison, that follows the 09:47AM 40 person to prison, and is frequently used by the prison authorities and by parole supervision later on. 43

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LEG. FLEMING:

And who does all the leg work in terms of contacting victims and --45 46

DIRECTOR DLHOPOLSKY: 47

Probation Officer does.

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09:47AM 50

LEG. FLEMING:

Do you have a sense of what an average amount of time it takes to 51 do a PSI? 52

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DIRECTOR DLHOPOLSKY:

In terms of the efforts of a Probation Officer, our rule of thumb is one working day per pre-sentence investigation. I mean,

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obviously, there's variation there. Some cases are extremely
         complex and take -- probably take more man-hours than that, which
         for that you figure about seven hours. Some cases are more cut and
          dry and are certainly less than that. But that is our average
          based on the time to collect the information, to interview the
         person, to contact anybody else, the arresting officer, the victim, etcetera, and to collate that and put it into a well written
         report. That is the Probation Officer's time. There's also,
         obviously, the time involved of clerical staff who have to put all
         these things on books, and take care of all the paperwork, and
09:48AM 10
          supervisory staff that has to review this and sign off on it.
          it is a very time consuming venture.
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          LEG. FLEMING:
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      15
         Thank you.
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         CHAIRPERSON BROWNING:
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         So I believe there are no more questions. But is there anything
         else? Oh, so we made a motion. Oh, Leslie. We're getting there.
09:48AM 20
          LEG. KENNEDY:
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         I just have one more question. I realize we can no longer -- will
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         this money go directly into Probation because we want Probation to
         be self-sustaining?
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          DIRECTOR DLHOPOLSKY:
          It goes into the County fund.
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         LEG. KENNEDY:
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         Goes into the General Fund.
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          DIRECTOR DHLOPOLSKY:
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         And comes back to us as part of the budget.
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          CHAIRPERSON BROWNING:
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         Which is where the salaries come from.
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         DIRECTOR DHLOPOLSKY:
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         Right.
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09:49AM
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          LEG. KENNEDY:
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          Yeah, that's true. I guess I would like it better if it went
          directly into Probation's budget, but you can request.
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          CHAIRPERSON BROWNING:
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          Okay. So we had a motion and a second. All in favor?
                                                                     Opposed?
          Abstentions? Okay, it's approved. (Vote: Approved
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          7-0-0-2/Absent: Legislators Cilmi and Spencer)
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          DIRECTOR DHLOPOLSKY:
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         Thank you.
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         CHAIRPERSON BROWNING:
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         And I don't know if there would be any questions. We'll certainly
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         reach out to you if anybody has any questions, like any -- I guess
          maybe we can have Josh reach out to everybody for Tuesday. If we
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do need you on Tuesday, we'll let you know, okay?

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DIRECTOR DLHOPOLSKY:

Thank you.

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09:49AM 10

CHAIRPERSON BROWNING:

Thank you. So the next one is for the Medical Examiner. 1108 - A Local Law to increase Medical Examiner fees (Co. Exec.). I guess my assumption is probably the same thing, administrative costs are going up. And I don't believe the numbers are that hard -- much higher. So motion to approve by Legislator Calarco, second -- I'll second it. All in favor? Oh, sorry. Do I sound like I'm rushing? on, we like to talk.

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(Laughter)

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Okay. Dr. Caplan.

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DR. CAPLAN:

Yes. 20

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CHAIRPERSON BROWNING:

So if you can kind of just give us a little bit of information on the fees and what the increases are, like I said.

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DR. CAPLAN:

Sure. Good morning, everybody. So what we're asking for is -with regard to cremation clearance, is a fee increase from 60 to \$75. The last fee increase was in March 2012, from 30 to \$60.

09:50AM 30

Just to give you a little bit of background here, what goes into a cremation clearance. What happens is, is that when a funeral home requests a cremation, that comes via a fax to our office, and then our front desk clerk notifies the Medical Forensic Investigator, the Physician Assistant. And depending on the complexity of the case, that really determines how much leg work goes into approving So, for example, if it's somebody with a clear-cut natural disease process that's not a Medical Examiner case, for example, somebody with heart failure or cancer, or something like that, that would just be a matter of taking a look at the death certificate and approving it, and that could be done within minutes.

09:51AM

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09:52AM 50

On the other hand, you may have a case where the death certificate is worded in such a way that it may be a case that needs to come to the Medical Examiner's Office or needs further clarification. the investigator may need to do much more leg work in a case like that. For example, contacting the physician who wrote the death certificate, contacting other people in the hospital, possibly the family, to try to, you know, resolve this issue. And then in a situation like that, that -- and it may end up being an approval after that information is gleaned, or it may be a situation where we realize it's a Medical Examiner case and we can't approve that cremation, because we need to take jurisdiction. So I say this only because there is a variation. So in cases like that, it could take several hours, you know, to make that final cremation clearance.

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So the point I want to make here is it's not a matter of the paperwork or the facts, it's the actual decision-making, critical 3 thinking that goes into clearing these cremations. CHAIRPERSON BROWNING: Are there any questions? No? Okay. Well, thank you, Dr. Caplan. 7 I believe we had a motion and a second. All in favor? Opposed? Abstentions? It's approved. (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi and Spencer) 09:52AM 10 11 And, Chief Sharkey, do you need to get out of here? I was just 12 realizing. 13 14 CHIEF SHARKEY: 15 Not any sooner than you. 16 17 CHAIRPERSON BROWNING: 18 Are you okay? Because I did want to -- if no one would object, I 19 did want to ask you -- thank you, Dr. Caplan. I'd like to kind of 09:53AM 20 go off the agenda a little bit, because I know you guys have to be 21 somewhere at 11 o'clock, and I probably imagine you'd have to be there a little sooner. 24 Yesterday we had a graduation, which was nice to see. And it's 2.5 funny, I was looking at the graduates, and some very young ones, and some that are a lot -- a little bit more seasoned. And I know 27 that we --28 29 LEG. HAHN: 09:53AM 30 Some of the dads looked young. I was shocked, some of the dads 31 32 looked young. 33 CHAIRPERSON BROWNING: 34 Yeah. 35 36 LEG. HAHN: 37 That's when you know you're getting old. 38 CHAIRPERSON BROWNING: 09:54AM 40 Exactly. But, yeah, I know we had been in touch not too long ago, 41 and you received a resignation letter from a corrections officer. I believe this is the second one since this last class graduated. Can you give us a little bit of information on what's going on within the Department of Corrections as far as retention? You know, how's things going? And we have a class list that is still in existence and should expire. I don't know when that's expiring. 47 But if you can kind of give us a little bit of information, I'd appreciate it. 49

09:54AM 50

CHIEF SHARKEY:

51 Okay. I had told you that I would regularly keep you updated on our recruitment and retention, and I have a little bit of information on both. And, as you said, we did have a graduating 54 class yesterday. I had mentioned at -- and, by the way, thank you

for you and your colleagues for attending, I appreciate it.

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I had mentioned at an earlier meeting that this was the first time that we had failed to seat the number of students in the class that we had set out to. We had attempted to seat 50 students, and due to the lack of interest, for a better term, our pool dwindled to a point where we could only seat 44.

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On the subject of retention, if you'll -- if you'll entertain it, I'd like to just read a segment of the latest resignation letter I received.

09:55AM 10

CHAIRPERSON BROWNING:

Sure, yeah.

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CHIEF SHARKEY:

"When I accepted" -- this is direct from the report.

09:55AM 20

"When I accepted the position, I was looking forward to the challenges of the job, as well as security of benefits and medical and pension. I've enjoyed the job and the camaraderie I've established with my fellow officers. I have, however, found it difficult financially to sustain myself and my family with the wages that come with this job. Over the past year-and-a-half, I have found it necessary to work an additional job in order to pay for the basic needs of my family. Corrections salary scale is one which there is no foreseeable end to the financial burden that this position has placed on me. My hope is for the County to recognize the importance of quality officers, and to amend the contract to offer a livable salary for officers hired under the current contract."

09:56AM 30

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As you said, this is the second time I've stopped to read a resignation letter from a new correction officer. And often we have people leave for other jobs, but these people are leaving to go back to their former employment, and it's financial -- financially based.

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09:57AM 40

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Just on the issue of recruitment, we are working off of a new list. This was our first class seated off the new list. We are canvassing for another class. These lists normally last four years. I do not anticipate that that will happen this time, potentially two years. In order to avoid a problem of seating a class, we did go a little deeper. However, we did initially canvas down to the grade of 85. And we had approximately 900 letters sent out, of which we only had a 50% return on the letters, which is low. Because we were still a little bit uncomfortable, we decided to canvas down to the grade of 80. And, again, this is only our second class off of this list. We sent out another approximately 500 letters, and of that, we only got about a third response. We got about 159 responses, so this is a very low response rate.

09:57AM 50

CHAIRPERSON BROWNING:

And when did this test list come out?

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CHIEF SHARKEY:

old. I would anticipate -- you know, after we seat this next class, I'll have a very good idea of whether or not we have to approach Civil Service and ask for a test to be given sooner.

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09:58AM 10

CHAIRPERSON BROWNING:

Okay. And, you know, one of the reasons why it's kind of jumped to me is I had a guy that at a Fire Department installation, he's also a member of the National Guard, and only for that National Guard paycheck that he receives that supplements his income. But, again, he expressed to me at the installation, you know, the difficulties with the current salary. And, again, thanks to the -- you know, the National Guard paycheck that he gets once a month or every two weeks, whatever it is, that it helps supplement him. So I'm hearing that a lot, that a lot of them are taking second jobs. And I -- how much of the -- you know, how much overtime are they getting? I mean, do they get a lot of overtime or do -- everything is by seniority?

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CHIEF SHARKEY:

09:59AM 20

In the Corrections contract, overtime is based on seniority, so the senior officers have the first opportunity to work, and then the junior officers get what's left. And keep in mind, the newer correction officers are also covered under the contract provision that allows them to be paid overtime under the Fair Labor Standards Act, as opposed to overtime at time-and-a-half for all of their overtime. So portions of their overtime are worked at straight time pay. So, you know, as I said, you know, there's a lot of talk about the minimum wage being raised to \$15 an hour. If the minimum wage was raised to \$15 an hour, these new Correction Officers would all get a raise.

10:00AM 30

CHAIRPERSON BROWNING:

Yeah, because I think it works out to about \$11 an hour if you --

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CHIEF SHARKEY:

When I was looking at what they're taking home, they're taking home about \$11 an hour.

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CHAIRPERSON BROWNING:

10:00AM

Okay. Well, I certainly think and know that -- I've always expressed and known the history of the City when they dramatically dropped the start salary for police officers, it caused more problems. And you get what you pay for, is basically -- I don't want to see somebody getting jammed up or having a problem at the Jail because he was tempted in some shape or form, because he can't make ends meet. So I think it leaves us open for some problems, and I'm hoping that the Administration will recognize that. You know, we -- I know we all stand behind them. We appreciate it. It is the most difficult job to work in the jail, and the population that many of them have to deal with. So we certainly do appreciate what they do.

10:01AM 50

And I don't know if, DuWayne, you want to try and follow up on this. The list is going to expire in less than three years.

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P.O. GREGORY:

(Nodded yes).

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CHAIRPERSON BROWNING:

So I definitely think it's something that we need to have a conversation with the Administration. So I just don't want to see something happen before we respond.

/ 8

CHIEF SHARKEY:

10:01AM 10

And I would mention, in light, that we may have to ask for a new test sooner than later. You know, the fees for the exams were raised recently. I believe it was from 100 to 125 for law enforcement. Meanwhile, I have law enforcement officers that are competing and testing for a salary that starts them at a lower rate than many of the entry level clerical positions.

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CHAIRPERSON BROWNING:

19 10:02AM 20 21 Right. And, you know, I look at it, I don't know. I just think for law enforcement officers, they need to be compensated appropriately, and I don't think that this is an appropriate compensation for someone who works in the Jail. And I know we have our fiscal problems, and I know that that's something we have to address, but we also have to be careful about what we're not doing and not doing the right thing, and, again, retention. What's to stop any of them from, you know, taking a police test, either Suffolk or the City, or anywhere, Nassau County, that they would jump at the chance? So, you know, what does it cost to train one corrections officer?

29 10:02AM 30

CHIEF SHARKEY:

I would have to get back to you, if you want an actual figure.

CHAIRPERSON BROWNING:

34 Yeah, that would be --

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CHIEF SHARKEY:

39 10:03AM 40 It's obviously an investment in time. You know, we have the Academy, we have field training. And, as I said, there was a time when we would bring in officers from other jobs, from New York City, etcetera, and now that's the exit plan for many of the officers.

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CHAIRPERSON BROWNING:

Right. So -- and that's the other issue, you know. How much money did we spend for each of those officers yesterday, just a class of 40? And, you know, how many could we potentially lose because they just said they can't sustain it, and, you know, maybe for a better job with more money? So that -- that is a concern, also. It should be a concern. So -- but thank you, Mike. And I guess we'll see you -- how many graduates do you have today?

10:03AM 50

CHIEF SHARKEY:

53 Fourteen.

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CHAIRPERSON BROWNING:

56 Fourteen? Okay. So -- and they'll actually be falling under the

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old contract, because I believe they still don't have an agreement, SO --2

CHIEF SHARKEY:

Lucky for them.

7

CHAIRPERSON BROWNING:

Lucky for them is right.

10:03AM 10

(Laughter)

So somebody's happy, at least. But, anyway, so sorry for the break in that. But thank you, Mike, and we'll see you soon.

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Now we are on 1129 - Authorizing the County Executive to enter into and execute an agreement with Skytech Systems, Inc. for twenty hours of drone services at no cost to the County (Co. **Exec.**). I'll make a motion to approve, and second by Legislator Calarco. And could we kind of get some info on what exactly this is about? Good morning.

10:04AM 20

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DEPUTY INSPECTOR O'CARROLL:

Good morning. Richard O'Carroll, Deputy Inspector with Chief Cameron's office, and with me today is the Commanding Officer of our Emergency Service Unit, Lieutenant Kevin Burke.

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The drone, the 20 hours, it's approximately about a \$5,000 gift, so that's why it's going to need Legislative approval. And what it would do is it gives us a chance to try the drone out for research purposes, find out what features would work best for us, should we decide to purchase one.

10:05AM 30

CHAIRPERSON BROWNING:

Okay. And so they'll be taking pictures and kind of doing whatever it is that you would do with the drone? Okay.

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DEPUTY INSPECTOR O'CARROLL:

Kevin could give you an idea of what we could do with the drone.

10:05AM 40

LIEUTENANT BURKE: The primary focus is not for criminal investigations. we're looking at it to utilize for accidents, and which are not going to result in criminal charges. So we'd be able to open up the roadways quicker, just document the scene, open up the roadway and move the traffic along.

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CHAIRPERSON BROWNING:

10:06AM 50

My other question was -- is two questions. One is how much does it cost for a drone, if we were to move forward to buy one? And we'll be RFP'ing this, or how are we going to pay for this if -- later, if we were to move forward?

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DEPUTY INSPECTOR O'CARROLL:

From what I understand, we'd have to get bids on the drones. Offhand, I don't know -- I don't know the price of the drones. Do vou remember?

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Public Safety 3/24/17
       1
          LIEUTENANT BURKE:
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          They're under $2,000 for the ones that would be useful for us.
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          New York State is exploring it statewide to try to give guidance to
          local agencies, what -- which ones they would use and what kind of
          training they would need.
          CHAIRPERSON BROWNING:
          Okay. And who would be trained to -- would this be in the ESU
       9
10:06AM 10
          operation?
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          LIEUTENANT BURKE:
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          I think at some point we would be involved in it. I think right
      13
          now they're looking at Crime Scene to be the primary recipients of
          it, because they do the crime scenes for motor vehicle accidents.
      16
          CHAIRPERSON BROWNING:
      17
          Okay. Any other questions? So I'm assuming RFP, about $2,000, if
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          we move forward. And okay. I don't -- is there an FAA approval
      19
          for using these?
10:07AM 20
      21
          LIEUTENANT BURKE:
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          There is. There's an FAA license that they issue. You have to
          study for it, take an exam. It's the same as any other individual. There's two ways that the government entity can do it. It's either
      24
          on a 333 waiver, which the government's entitled to, or you can do
          the Part 107 license, which each individual pilot would have to get
      27
          the license for it.
      28
      29
          CHAIRPERSON BROWNING:
10:07AM 30
          Okay. So I guess no more questions. Okay. Thank you.
          was a motion and a second. All in favor? Opposed? Abstentions?
          It's approved. (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi
          and Spencer)
      34
      35
                1130 - Adopting a Local Law to add the Director of the
      36
          Traffic and Parking Violations Bureau to the Criminal Justice
      37
          Coordinating Council (Browning). We could close that? Yeah.
                                                                             Did
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          we not close that?
10:07AM 40
          MR. NOLAN:
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          No.
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          CHAIRPERSON BROWNING:
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          Okay. So -- oh, it's an introductory. I'm sorry. So I'll make a
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          motion to table for public hearing.
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          D.P.O. CALARCO:
          Second.
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10:08AM
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CHAIRPERSON BROWNING: 51

Second, Legislator Calarco. All in favor? Opposed? Abstentions? 52 It's tabled for public hearing. (Vote: Tabled for Public Hearing 7-0-0-2/Absent: Legislators Cilmi and Spencer) 53

55 56

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LEG. HAHN:
          You want that closed?
          CHAIRPERSON BROWNING:
          Say again.
       5
          LEG. HAHN:
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          You want that closed?
          CHAIRPERSON BROWNING:
10:08AM 10
          If we could, yeah. This one is basically -- you know, we have the
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          Criminal Justice Coordinating Council, and since the Traffic Court
          was created, there is no one representing the Traffic Court at
          CJCC, so this is basically all this is. And, actually, there's
          been quite a few meetings where issues have come up with regards to
          Traffic Court. So I think it is important to make sure that there
      16
          is representation at that table. So, yes, I'm planning, hopefully,
      17
          to close it on Tuesday. So I think we did that, right?
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      19
          MR. NOLAN:
10:08AM 20
          Did we take the vote?
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      22
          CHAIRPERSON BROWNING:
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          We took the vote.
      24
      2.5
          MR. RICHBERG:
          (Nodded yes).
      27
          CHAIRPERSON BROWNING:
      29
          Okav. we're good. So 1172 - Accepting and appropriating federal
10:09AM 30
          funding in the amount of $13,315 from the United States Department
          of Justice, Federal Bureau of Investigation, for the Suffolk County
Police Department's participation in the FBI Joint Terrorism Task
          Force with 79.4% support (Co. Exec.). I'll make a motion to
          approve.
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      36
          D.P.O. CALARCO:
      37
          Second.
      38
          CHAIRPERSON BROWNING:
10:09AM 40
          Second, Legislator Calarco. All in favor? Opposed? Abstentions?
      41
          It's approved. (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi
      42
      43
          and Spencer)
      44
          1173 - Accepting and appropriating federal funding in the amount of
      45
          $17,753 from the United States Department of Justice, Federal
          Bureau of Investigation, for the Suffolk County Police Department's participation in the FBI Financial Cyber Crimes Task Force with
      47
          79.4% support (Co. Exec.). Same motion, same second, same vote.
      49
          (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi and Spencer)
10:09AM 50
      51
          1174 - Accepting and appropriating a grant in the amount of
          $218,678 in federal pass-through funding from the New York State
          Division of Homeland Security and Emergency Services for the 2016
          Bomb Squad Initiative Program with 100% support and approving a
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temporary increase to the fleet for the Suffolk County Police

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Department (Co. Exec.). I'll make a motion to approve and place on
          the Consent Calendar; second, Legislator Martinez. All in favor? Opposed? Abstentions? It's approved. (Vote: Approved and Placed
          on Consent Calendar 7-0-0-2/Absent: Legislators Cilmi and Spencer)
          1175 - Accepting and appropriating federal funding in the amount of
          $16,000 from the United States Department of Justice, U.S. Marshals
       7
          Service, for the Suffolk County Police Department's participation
          in the Regional Fugitive Task Force with 79.4% support (Co. Exec.).
          Motion by Legislator Fleming; second, Legislator Kennedy. All in favor? Opposed? Abstentions? It's approved. (Vote: Approved
10:10AM 10
          7-0-0-2/Absent: Legislators Cilmi and Spencer)
          1176 - Accepting and appropriating a grant in the amount of
      14
          $179,649 in State funding from the New York State Division of
          Homeland Security and Emergency Services, for the Public Safety
          Answering Point (PSAP) 2016-2017 Grant Program with 100% support
          (Co. Exec.). Motion by Legislator Calarco; second, Legislator
                 Place it on the Consent Calendar. All in favor? Opposed?
          Abstentions? It's approved. (Vote: Approved and Placed on
10:11AM 20
          Consent Calendar 7-0-0-2/Absent: Legislators Cilmi and Spencer)
      21
      22
          1177 - Accepting and appropriating a grant in the amount of $66,745
      23
          in federal pass-through funding from the State of New York Division
      24
          of Criminal Justice Services for the Suffolk County Police
          Department's STOP Violence Against Women Formula Grant program with
          75% support (Co. Exec.). Motion by Legislator Hahn, second by --
      27
          LEG. MARTINEZ:
      29
         Yeah. I'll second it.
10:11AM 30
      31
          CHAIRPERSON BROWNING:
      32
          Second by Legislator Martinez. All in favor? Opposed?
      33
          Abstentions? It's approved. (Vote: Approved 7-0-0-2/Absent: Legislators Cilmi and Spencer)
      34
      35
      36
          1178 - Authorizing the donation of surplus Meals Ready to Eat to
      37
          municipalities and/or recognized not-for-profit entities (Co.
      38
          Exec.). I'll make that motion; second, Legislator Kennedy. And no
          questions on this. This is basically MREs are going to expire, so
10:12AM 40
          you want to get them out. Okay. So all in favor? Opposed?
          Abstentions? It's approved. (Vote: Approved 7-0-0-2/Absent:
          Legislators Cilmi and Spencer).
      43
          1190 - Adopting a Local Law to establish a permit process for the
      45
          use of police services for public assembly (Co. Exec.). Motion to
          approve, Legislator --
      47
          D.P.O. CALARCO:
      49
          No, it's got to be tabled.
10:12AM 50
      51
          CHAIRPERSON BROWNING:
          Oh, it's a Local Law.
                                  Sorry. Thank you. Motion to table.
      53
          make that motion to table for public hearing; second, Legislator
                    All in favor? Opposed? Abstentions? It's approved.
```

(Vote: Tabled for Public Hearing 7-0-0-2/Absent: Legislators Cilmi

Public Safety 3/24/17

```
and Spencer)
1
   And 1194 is done already.
                                    So motion to adjourn; second, Legislator
    Calarco. We're adjournéd.
                  (*The meeting was adjourned at 10:12 a.m.*)
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